

August 6, 2013 LUEAAC Agenda Item Comments

Comments on the Newport Beach Land Use Element Amendment Advisory Committee agenda from:

Jim Mosher (jimmosher@yahoo.com), 2210 Private Road, Newport Beach 92660 (949-548-6229)

2) Approval of Minutes for July 16, 2013 Meeting

1. I have read the draft minutes, and the only glaring typo I see is in the list of Staff present, on page 1, *Public Works Director Dave Webb* being listed as “*Don Webb*.”
2. That said, it is good staff is posting [audio minutes](#), for I recall making several public comments and the July 16 meeting, and was surprised to see no hint of that in the written minutes. I do not know why those comments were suppressed, but at least to me it raises questions about the integrity of the written minutes as a accurate archival record of the proceedings of the LUEAAC.
3. The comments I recall making included:
 - a. That as I understand it the Land Use Element is supposed to be the *implementation* of the vision and policies articulated in the other elements, making it difficult to see how a new Land Use Element could be justified unless required by changes to the other elements. Yet, the proposed timetable suggests the process of LUEAAC will be to consider and approve changes to the Land Use Element first, and only then invent the vision and policies necessary to justify them, with the changes to the other elements apparently not going to the voters.
 - b. That the brief timeframe for obtaining and finalizing input for the EIR – relying heavily on suggestions received at two August afternoon meetings – coincides with the time period specifically identified by the City Manager in last year’s [City Charter Update](#) committee proceedings as so inappropriate for City meetings that only a single Council session can be held.
 - c. As clarified by Mr. Tescher, that although careful consideration will be given to the *financial* viability of each change for the developer proposing it, there is no plan to perform the *fiscal* analysis required by the present General Plan – that is, whether the change will provide a net financial benefit to the citizens of Newport Beach.
 - d. That although I favor a reduction in vehicular traffic in all parts of Newport Beach, I had trouble understanding the emphasis placed on “trip neutrality” at the July 16 LUEAAC meeting. To the best of my knowledge, neither Greenlight/[Charter Section 423](#) nor the current General Plan prohibit a vision with increased traffic, they merely require that the citizens be made aware of such plans and given a chance to vote on them, ideally on the basis of individual projects within statistical areas.

5) OTHER POTENTIAL LAND USE CHANGES

a. Issue Papers

i. Lido Village

1. I find the references to “*the former **Civic Center** site*” slightly confusing. Previous to this, I had always heard it referred to as a **City Hall**, and do not believe it has ever been thought of as representing anything more than that.
2. The report implies that the [2011 Citizens Advisory Panel](#) (CAP)’s effort involved something more than developing [Design Guidelines](#). My recollection is the CAP members were told their task was confined to developing architectural design guidelines that would appeal to the community, and that the Council’s vision for future use of the City Hall site, or Lido Village in general, was not to be considered as part of that effort.

ii. Mariners Mile

1. I am confused by the references to the “*Best Western Expansion*.” Is this the hotel portion of the “*Balboa Bay Resort*” (formerly Balboa Bay Club)? Or is it some other facility (the Best Western property in Newport Shores would not be part of Mariners Mile)?
2. Under “**General Plan Policies**”:
 - a. I find the existing policy to “*Require buildings to be located and sites designed to afford clear views and access to the Harbor and Bay from Coast Highway*” an excellent one. Unfortunately, much of the current development is inconsistent with that policy.
 - b. I also like the existing policy to “*Require buildings to be located and designed to maintain the visual quality and structural integrity of the bluff faces*.” The currently under construction Mariner’s Pointe project seems inconsistent with that, and I don’t recall it being mentioned when it was up for approval.
3. Under “**Issues/Opportunities**,” despite what the Issue Paper says, I don’t see any of the items listed as actually being new issues “*emerging since the General Plan’s adoption*.”
4. Under “**Recommendations**,” I haven’t attempted to research how the Mariners’ Mile Specific Plan called out in the current General Plan has ceased to exist.

iii. Beach and Bay Mobile Home Park

Hopefully before presenting a proposal to the voters, the authors will study the difference in meaning of the words “*duel*” and “*dual*” (as well as settling on a consistent punctuation for Mariners Mile).

b. Other

i. Public Correspondence

1. In paragraph “2)” on page 2, I’m not sure I understand the reference to “*trolley participation*.”
2. I also find curious the expectation in the final sentence of that paragraph, that the noise contours of the airport will eventually shrink, rather than expand with increasing use.